

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
Boston Division**

JOSEPH M. CRAWFORD,

Plaintiff

vs.

Civil Action No.: 04-12234(DPW)

NATIONAL RAILROAD  
PASSENGER CORPORATION,

Defendant

**PROPOSED JOINT SCHEDULING PLAN  
PURSUANT TO RULE 16(B) AND 26(F)**

1. Statement of the Case

This case involves a personal injury action brought pursuant to an Act of Congress known as the Federal Employer's Liability Act (FELA), 45 U.S.C., Sec. 51 et seq. Joseph M. Crawford worked for the defendant from 1974 to present, as an assistant foreman in the track department, inspecting and repairing railroad tracks.

As a result of his job duties, Plaintiff was exposed to the occupational risk factors for carpal tunnel syndrome, including but not limited to repetition force, vibration and awkward wrist posture. It is Plaintiff's claim that as a result of the Defendant's negligence, Plaintiff was diagnosed with carpal tunnel syndrome.

Defendant failed to provide Plaintiff with a safe work environment under the FELA, specifically, failing to adequately warn Plaintiff of the risks, dangers and harm to which he was exposed.

The Defendant denies Plaintiff's claims and further denies that its alleged negligence was the proximate cause of Plaintiff's injuries.

2. Joint Discovery Plan

The attorneys for the parties have reached an agreement for a proposed Pretrial schedule as follows:

- (a) All additional parties shall be joined by May 13, 2005.
- (b) Amendment of pleadings shall be completed by May 13, 2005.
- (c) Parties will exchange initial disclosures by June 13, 2005.
- (d) All fact discovery should be completed by October 13, 2005.
- (e) All experts who may be witnesses for the Plaintiff shall be designated no later than November 14, 2005.
- (f) All experts who may be witnesses for the Defendant shall be designated no later than December 13, 2005.
- (g) All expert discovery shall be completed by January 13, 2006.
- (h) All motions for Summary Judgment to be filed by February 13, 2006.

Thomas J. Joyce, III, Esq., of Hannon & Joyce, and Michael J. McDevitt, of Lawson & Weitzan, LLP, counsel for Plaintiff, and Paul Sahovey, Esq. of Massachusetts Bay Transportation Authority, counsel for Defendant, have conferred concerning the above discovery schedule and expenses.

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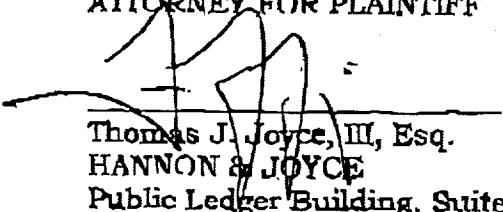
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Counsel for the parties have discussed informally exchanging discovery to reduce the cost of litigation to our clients and agreed to conform to the obligation to limit discovery set forth in F.R.C.P. 26(b). Discovery is expected to include all relevant information including but not limited to Plaintiff's work and medical history as well as Defendant's safety, medical and environmental efforts regarding exposure to ergonomic risk factors for occupational carpal tunnel syndrome.

The parties and their respective counsel have conferred regarding settlement.

Dated: March 30, 2005

ATTORNEY FOR PLAINTIFF




Thomas J. Joyce, III, Esq.  
HANNON & JOYCE  
Public Ledger Building, Suite 1000  
150 S. Independence Mall West  
Philadelphia, PA 19106  
215-446-4460

Michael J. McDevitt, Esq.  
Lawson & Weitzen  
88 Black Falcon Avenue, Suite 345  
Boston, MA 02210  
617-439-4990  
Local Counsel for Plaintiff

Respectfully Submitted,

ATTORNEY FOR DEFENDANT



Paul Sahovey, Esq.  
Massachusetts Bay  
Transportation Authority  
10 Park Plaza  
Boston, MA 02116-3974  
617-222-3189